

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

STEPHEN THAXTON and
PATRICIA THAXTON, *individually*
and on behalf of all others
similarly situated,

Plaintiffs,

v.

COLLINS ASSET GROUP, LLC,
et al.,

Defendants.

1:20-CV-00941-ELR

O R D E R

On April 13, 2020, the Court stayed this case pending the outcome of a Show Cause Order in a related case, Collins Asset Group, LLC v. Diversified Financing, LLC et al., No. 7:20-CV-00942 (S.D.N.Y. Feb. 4, 2020). [Doc. 35]. As of July 9, 2020, the above-named related case has been transferred to the District Court for the Northern District of Georgia and reassigned to the undersigned. [See Dkt. Nos. 290, 299].¹

¹ The related case is now Collins Asset Group, LLC v. Diversified Financing, LLC et al., No. 1:20-CV-02818-ELR (N.D. GA Jul. 6, 2020) (hereinafter, “Collins Action”). “Dkt. No.” will be used to refer to filings in case number 1:20-CV-02818-ELR. “Doc.” refers to the docket entries in case number 1:20-CV-00941-ELR.

On September 17, 2020, the interpleader plaintiff Collins Asset Group, LLC and several interpleader defendants in the Collins Action filed a “Joint Motion to Stay Interpleader Plaintiff’s Order to Show Cause for Interpleader Relief Pending Settlement.” [See Dkt. No. 348].² In that motion, the parties in the Collins Action indicated that they had reached a settlement in principle that could result in the dismissal of both this case as well as the related Collins Action. [Id.] Thus, the parties requested that the Court stay the Collins Action for forty-five (45) days until they finalize settlement discussions. [Id.] The Court granted the parties’ motion to stay the Collins Action for forty-five (45) days and directed the interpleader plaintiff to file an update as to the finalization of settlement by the end of the forty-five (45) day period. [See Dkt. No. 349].

The forty-five (45) day period has now ended without an update as to the settlement. Therefore, the Court **DIRECTS** the Clerk to **ADMINISTRATIVELY CLOSE** this case.³ The Parties shall file a stipulation of dismissal upon finalization of the settlement documents. If settlement fails, the Parties should promptly move to reopen the case.

² The interpleader defendants that joined in this motion included Plaintiffs Stephen Thaxton and Patricia Thaxton. [See Dkt. No. 348].

³ The Court notes that administrative closure will not prejudice the rights of any party to this litigation. A party need only file a motion to reopen the case if they so choose.

SO ORDERED, this 5th day of November, 2020.



Eleanor L. Ross
United States District Judge
Northern District of Georgia